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HARRISBURG, PA

10/25/02
OCT 25 2002
[Signature]

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

MARY E. BANDRELL, CLERK
Per _____ Deputy Clerk

KENNETH ALAN SHIFFER, :
Petitioner :
v. : CIVIL NO. 1:CV-00-1829
BEN VARNER, et al., : (Judge Caldwell)
Respondents :
:

O R D E R

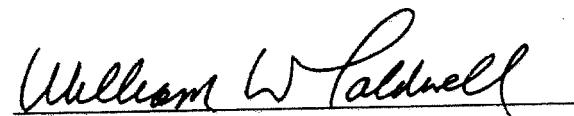
THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

Petitioner, Kenneth Alan Shiffer, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging his 1988 conviction for second-degree murder in the Court of Common Pleas of Columbia County, Pennsylvania, for which he received a sentence of life imprisonment. By Memorandum and Order filed August 1, 2002, we denied Shiffer's petition. We also refused to issue a certificate of appealability. Shiffer has appealed to the Third Circuit.

We are considering Shiffer's Motion to Proceed *in forma pauperis* on appeal. (Doc. 26). Shiffer has submitted a declaration in support of his request stating that as of August 21, 2002, his prison account contained \$510.80. (Doc. 26). A certificate from SCI-Dallas' accounting division confirms Shiffer's financial status and notes "the petitioner herein has the sum of

\$510.80 on account to his credit" as of August 22, 2002. Based upon this amount, the application for *in forma pauperis* status will be denied.

AND NOW, this 25th day of October, 2002, it is ordered that petitioner's motion to proceed *in forma pauperis* on appeal (doc. 26), is denied.


William W. Caldwell
William W. Caldwell
United States District Judge